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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 18 2003
at 11 o'clock and 36 min. M
WALTER A.Y.H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS E. RYCHENER,

Defendant.

Cr. No. 03-00225 DAE

LT. ROBERT HICKCOX, HAWAII
POLICE DEPARTMENT, COUNTY
OF HAWAII'S JOINDER IN
GOVERNMENT'S MOTION TO
QUASH SUBPOENA DUCES
TECUM, OR, IN THE
ALTERNATIVE, FOR AN *IN*
CAMERA INSPECTION FILED
SEPTEMBER 12, 2003 AND
STATEMENT OF
NONAPPEARANCE;
DECLARATION OF JOSEPH K.
KAMELAMELA; CERTIFICATE OF
SERVICE

Hearing:

Date: September 17, 2003

Time: 2:00 p.m.

Judge: Honorable Barry Kurren

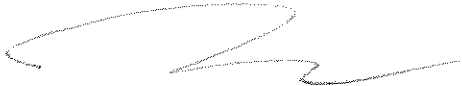
LT. ROBERT HICKCOX, HAWAI'I POLICE DEPARTMENT,
COUNTY OF HAWAI'I'S JOINDER IN GOVERNMENT'S MOTION TO
QUASH SUBPOENA DUCES TECUM, OR, IN THE ALTERNATIVE, FOR AN
IN CAMERA INSPECTION FILED SEPTEMBER 12, 2003 AND
STATEMENT OF NONAPPEARANCE

Lt. Robert Hickcox, Hawai'i Police Department, County of Hawai'i ("Lt. Hickcox"), by and through his undersigned counsel, pursuant to Rules 12 and 47 of the Federal Rules of Criminal Procedure and LR7.4, CrimLR 12.2(c) and CrimLR 12.3 of the Local Rules of Practice for the United States District Court for the District of Hawai'i, joins and does not oppose the Government's Motion to Quash Subpoena Duces Tecum, or, in the Alternative, for an *In Camera* Inspection filed September 12, 2003 ("Government's Motion"). A declaration has been filed in support of the Government's Motion.

Furthermore, Lt. Hickcox will not appear at the hearing on the Government's Motion. He further requests that if he must bring the requested documents to the court, then the court would either order the Office of the Federal Defender to pay his plane fare, per diem and other reasonable fees to bring the records to the court, or allow other means, such as mail or facsimile, to transmit the records to the court.

Dated: Hilo, Hawai'i, September 16, 2003.

Respectfully submitted,



JOSEPH K. KAMELAMELA
Deputy Corporation Counsel
County of Hawai'i

United States of America v. Douglas E. Rychener

Cr. No. 03-00225 DAE

Lt. Robert Hickcox, Hawai'i Police Department, County of Hawai'i's Joinder in
Government's Motion to Quash Subpoena Duces Tecum, or, in the Alternative,
For an *In Camera* Inspection filed September 12, 2003, and Notice of
Nonappearance

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS E. RYCHENER,

Defendant.

Cr. No. 03-00225 DAE

DECLARATION OF JOSEPH K.
KAMELAMELA

DECLARATION OF JOSEPH K. KAMELAMELA

I, JOSEPH K. KAMELAMELA, make the following declaration:

1. I am a deputy corporation counsel employed by the County of Hawai'i and am assigned to assist in the legal representation of Lt. Robert Hickcox, Hawai'i Police Department, County of Hawai'i.
2. I have personal knowledge of and am competent to testify to the matters hereinafter stated.
3. Attached as Exhibit "A" to the Government's Motion to Quash Subpoena Duces Tecum, or, in the Alternative, for an *in camera* Inspection filed September 12, 2003, is a true and correct copy of the Subpoena Duces Tecum

("Subpoena") issued by Pamela J. Byrne, counsel for Defendant Douglas E. Rychener, that is related to the instant case.

4. The confidential informant used in the Su-Mei Billman and Edward Billman cases is not the same confidential informant used in the John C. Roddy, Herlynn Cajugal and Douglas E. Rychener cases.

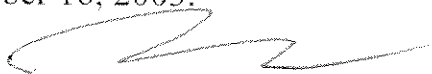
5. Contrary to the information in the Subpoena, Gerald Fontes was assaulted by Leonard Kainoa at the Ka'u Transfer Station and was later arrested fronting the residence of Bernard Keliikoa, where Fontes was found to be in possession of a stun gun.

6. In the event the Subpoena is not quash, I request an *in camera* inspection to review any and all documents.

7. I further request that if Lt. Hickcox must bring the requested documents to the court, then the court would either order the Office of the Federal Defender to pay his plane fare, per diem and other reasonable fees to bring the records to the court, or allow other means, such as mail or facsimile, to transmit the records to the court

I declare under penalty of perjury that the foregoing is true.

Dated at Hilo, Hawai'i, September 16, 2003.



JOSEPH K. KAMELAMELA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS E. RYCHENER,

Defendant.

Cr. No. 03-00225 DAE

CERTIFICATE OF SERVICE

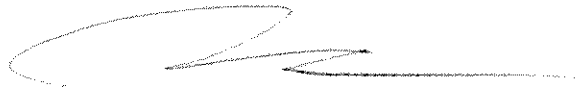
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing document was served upon the following by facsimile and mailing the same, postage prepaid, on September 17, 2003:

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